

**THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

JOHN BARNHARDT, ET AL.

PLAINTIFFS

and

UNITED STATES OF AMERICA

PLAINTIFF INTERVENOR

v.

CIVIL ACTION NO. 4:65-cv-01300–HTW-LRA 1300(E)

**MERIDIAN MUNICIPAL SEPARATE
SCHOOL DISTRICT, ET AL.**

DEFENDANTS

**Response to United States’ Motion for Extension
of Time to Respond to Motion for Declaration of Unitary Status**

In response to the Government’s motion for an extension of time to respond to the Meridian Public School District’s (the “District”) motion for declaration of unitary status, [57], the District states as follows:

1. Contrary to its statement in paragraph four of its motion, the Government did not confer with counsel for the District as required by Local Rule 7(b)(10) before filing its motion for an extension of time. In fact, the District never received a request from the Government for an extension of time to respond to the motion for declaration of unitary status before receiving the Government’s motion.

2. On April 5, 2018, the Private Plaintiffs emailed counsel for the District and counsel for the Government asking whether the parties objected to the Private Plaintiffs’ request for a stay of briefing on the motion for declaration of unitary status. Exhibit 1. The District responded that it would not consent to a stay: “The District does not consent to a stay of the

briefing deadlines with respect to its motion for unitary status.” *Id.* The District did not “express an objection to any extensions of time to respond to its Motion for Unitary Status.” [57, ¶ 3].

The District’s objection is to a stay of the briefing in order to allow wide-ranging, burdensome, unnecessary discovery.¹

3. The Private Plaintiffs’ motion to stay the briefing deadlines, [55], is different from a request to extend the response deadline. Had any party requested an extension for some definite time period, *e.g.*, two weeks or thirty days, the District would have endeavored to cooperate. No such request has ever been received from the Government or the Private Plaintiffs.

Respectfully submitted, this 19th day of April, 2018.

MERIDIAN PUBLIC SCHOOL DISTRICT

/s/ John S. Hooks

OF COUNSEL:

Holmes S. Adams
MS Bar No. 1126
John S. Hooks
MS Bar No. 99175
Adams and Reese LLP
1018 Highland Colony Parkway, Suite 800
Ridgeland, Mississippi 39157
Telephone: 601.353.3234
Facsimile: 601.355.9708
E-mail: Holmes.Adams@arlaw.com
John.Hooks@arlaw.com

¹ The District has set out its objections to the Private Plaintiffs’ motion, [55], in its Response to Private Plaintiffs’ Motion for a Stay of Briefing to Respond to District’s Motion for Declaration of Unitary status and Request for Scheduling Conference filed today.

And

John G. Compton
MS Bar No. 6433
Witherspoon and Compton LLC
1100 23rd Avenue
Meridian, Mississippi 39302
Telephone: 601.693.6466
Facsimile: 601.693.4840
E-Mail: JCompton@witherspooncompton.com

CERTIFICATE OF SERVICE

I do hereby certify that on this date, I filed electronically the foregoing with the Clerk of this Court using the CM/ECF system which will send notification of filing to all registered counsel of record.

Dated: April 19, 2018.

/s/ John S. Hooks